

Introduced by Senator Knight

February 20, 2004

An act to amend Sections 415, 462, 467, 545, 2418.5, 5007, 9410, 22507.5, 22511.5, 22511.55, 22511.57, 22511.59, 22511.8, 22652, 22658.2, and 25276 of, and to add Section 5007.5 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1725, as introduced, Knight. Vehicles: disabled person: disabled veterans: parking privileges.

Existing law authorizes certain parking privileges for disabled persons and disabled veterans, as defined, and authorizes the Department of Motor Vehicles to issue special license plates and distinguishing placards for those purposes.

This bill would require the department, upon a request to the department by a local public law enforcement agency or local agency responsible for the administration or enforcement of parking regulations, to make available to the requesting agency any information contained in a physician's certificate submitted to the department as part of an application for a special license plate for disabled person's parking privileges. The bill would authorize local authorities to establish a review board or panel for purposes of reviewing information contained in the applications for special parking privileges and the certification of qualifying disabilities for persons residing within the jurisdiction of the local authority. Any findings or determinations by the review board or panel indicating that an application or certification is fraudulent or lacks proper certification would be transmitted to the department or other appropriate authorities for further review and investigation.

The bill would specify that a local authority may prohibit or restrict the parking or standing of a vehicle on streets under its jurisdiction when the vehicle displays a distinguishing placard for disabled parking privileges and the record of the department for the placard indicates that the placard has been reported as surrendered, cancelled, revoked, or expired.

The bill would prohibit the department from charging a fee for issuing a temporary distinguishing placard to a permanently disabled person or disabled veteran for purposes of travel by state residents or in-state travel by out-of-state residents.

The bill would make technical, nonsubstantive changes in existing law relating to parking privileges for disabled persons and disabled veterans.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 415 of the Vehicle Code is amended to
2 read:

3 415. (a) A “motor vehicle” is a vehicle that is self-propelled.

4 (b) “Motor vehicle” does not include a self-propelled
5 wheelchair, ~~invalid~~ motorized tricycle, or motorized quadricycle,
6 if operated by a person who, by reason of physical disability, is
7 otherwise unable to move about as a pedestrian.

8 (c) For purposes of Chapter 6 (commencing with Section 3000)
9 of Division 2, “motor vehicle” includes a recreational vehicle as
10 that term is defined in subdivision (a) of Section 18010 of the
11 Health and Safety Code, but does not include a truck camper.

12 SEC. 2. Section 462 of the Vehicle Code is amended to read:

13 462. A “paratransit vehicle” is a passenger vehicle, other than
14 a bus, schoolbus, school pupil activity bus, youth bus, general
15 public paratransit vehicle, or taxicab that is both of the following:

16 (a) (1) Operated for hire by a business, nonprofit organization,
17 or the state, or a political subdivision of the state utilizing drivers
18 who receive compensation for their services and who spend a
19 majority of their workweek operating a passenger vehicle.

20 (2) For the purposes of this subdivision, compensation does not
21 include reimbursement to volunteer drivers of the cost of
22 providing transportation services at a rate not greater than that

1 approved by the United States Internal Revenue Service for
2 volunteers.

3 (3) For the purposes of this subdivision, “for hire” means that
4 the entity providing transportation services is compensated for the
5 transportation under contract or agreement.

6 (b) Regularly used to provide transportation services to any of
7 the following:

8 (1) ~~Handicapped~~ *Disabled persons who meet the definition of*
9 *handicapped* persons, as defined in Section 99206.5 of the Public
10 Utilities Code.

11 (2) Persons with a developmental disability, as defined in
12 subdivision (a) of Section 4512 of the Welfare and Institutions
13 Code.

14 (3) Individuals with disabilities who are determined to be
15 eligible for complementary paratransit services under Title II of
16 the Americans with Disabilities Act of 1990 (P.L.101-336).

17 (4) Persons who are 55 years of age or older.

18 SEC. 3. Section 467 of the Vehicle Code is amended to read:

19 467. (a) A “pedestrian” is any person who is afoot or who is
20 using any of the following:

21 (1) A means of conveyance propelled by human power other
22 than a bicycle.

23 (2) An electric personnel assistive mobility device ~~as defined~~
24 ~~in Section 313.~~

25 (b) “Pedestrian” includes any person who is operating a
26 self-propelled wheelchair, ~~invalid~~ *motorized* tricycle, or
27 motorized quadricycle and, by reason of physical disability, is
28 otherwise unable to move about as a pedestrian, as specified in
29 subdivision (a).

30 (c) ~~The amendments made by this~~ *This section shall become*
31 ~~operative on March 1, 2003, and this section shall remain in effect~~
32 ~~only until January 1, 2008, and as of that date is repealed, unless~~
33 ~~a later enacted statute, that is enacted before January 1, 2008,~~
34 ~~deletes or extends that date.~~

35 SEC. 4. Section 467 of the Vehicle Code is amended to read:

36 467. (a) A “pedestrian” is any person who is afoot or who is
37 using a means of conveyance propelled by human power other
38 than a bicycle.

39 (b) “Pedestrian” includes any person who is operating a
40 self-propelled wheelchair, ~~invalid~~ *motorized* tricycle, or

1 motorized quadricycle and, by reason of physical disability, is
2 otherwise unable to move about as a pedestrian, as specified in
3 subdivision (a).

4 (c) This section shall become operative on January 1, 2008.

5 SEC. 5. Section 545 of the Vehicle Code is amended to read:

6 545. A “schoolbus” is ~~any~~ a motor vehicle designed, used, or
7 maintained for the transportation of any school pupil at or below
8 the 12th-grade level to or from a public or private school or to or
9 from public or private school activities, except the following:

10 (a) A motor vehicle of any type carrying only members of the
11 household of the owner thereof.

12 (b) A motortruck transporting pupils who are seated only in the
13 passenger compartment, or a passenger vehicle designed for and
14 carrying not more than 10 persons, including the driver, unless the
15 vehicle or truck is transporting two or more ~~handicapped~~ disabled
16 pupils confined to wheelchairs.

17 (c) A motor vehicle operated by a common carrier, or by and
18 under the exclusive jurisdiction of a publicly owned or operated
19 transit system, only during the time it is on a scheduled run and is
20 available to the general public, or on a run scheduled in response
21 to a request from a ~~handicapped~~ disabled pupil confined to a
22 wheelchair, or from a parent of the handicapped pupil, for
23 transportation to or from nonschool activities; provided, that the
24 motor vehicle is designed for and actually carries not more than 16
25 persons including the driver, is available to eligible persons of the
26 general public, and the school does not provide the requested
27 transportation service.

28 (d) A school pupil activity bus.

29 (e) A motor vehicle operated by a carrier licensed by the
30 Interstate Commerce Commission which is transporting pupils on
31 a school activity entering or returning to the state from another
32 state or country.

33 (f) A youth bus.

34 (g) Notwithstanding any other provisions of this section, the
35 governing board of a district maintaining a community college
36 may, by resolution, designate any motor vehicle operated by or for
37 the district, a schoolbus within the meaning of this section, if it is
38 primarily used for the transportation of community college
39 students to or from a public community college or to or from public
40 community college activities. The designation shall not be

effective until written notification thereof has been filed with the Department of the California Highway Patrol.

(h) A state-owned motor vehicle being operated by a state employee upon the driveways, paths, parking facilities, or grounds specified in Section 21113 that are under the control of a state hospital under the jurisdiction of the State Department of Developmental Services where the posted speed limit is not more than 20 miles per hour. The motor vehicle may also be operated for a distance of not more than one-quarter mile upon a public street or highway that runs through the grounds of a state hospital under the jurisdiction of the State Department of Developmental Services, if the posted speed limit on the public street or highway is not more than 25 miles per hour and if all traffic is regulated by posted stop signs or official traffic control signals at the points of entry and exit by the motor vehicle.

(i) A general public paratransit vehicle ~~as defined in Section 336~~, provided that the general public paratransit vehicle does not duplicate existing schoolbus service, does not transport a public school pupil at or below the 12th grade level to a destination outside of that pupil's school district, and is not used to transport public school pupils in areas where schoolbus services were available during the 1986–87 school year. In areas where expanded school services require expanded transportation of public school pupils, as determined by the governing board of a school district, general public paratransit vehicles shall not be used to transport those pupils for a period of three years from the date that a need for expansion is identified. For purposes of this section, a pupil is defined as a student at or below the 12th grade level who is being transported to a mandated school activity.

(j) A schoolbus with the flashing red light signal system, the amber warning system, and the schoolbus signs covered, while being used for transportation of persons other than pupils, to or from school or school related activities.

SEC. 6. Section 2418.5 of the Vehicle Code is amended to read:

2418.5. (a) Notwithstanding any other provision of law, every emergency ambulance ~~which~~ *that* is operated within this state by any public or private agency, including but not limited to, any emergency ambulance ~~which~~ *that* is operated by the State of

1 California, any charter or general law city or county, or any
2 district, shall be equipped at all times with a resuscitator.

3 ~~For~~

4 (b) *For* purposes of this section “emergency ambulance”
5 means a vehicle ~~which~~ *that* is designed or intended to be used in
6 providing emergency transportation of wounded, injured, sick,
7 ~~invalid~~ *disabled*, or incapacitated human beings.

8 ~~For~~

9 (c) *For* the purposes of this section, a “resuscitator” means a
10 device ~~which~~ *that* adequately, effectively and safely restores
11 breathing, ~~which includes~~ *including*, but ~~is~~ not limited to, a
12 portable hand-operated, self-refilling bag-valve mask unit for
13 inflation of the lungs with either air or oxygen. The resuscitator
14 shall not have any straps ~~which~~ *that* could be used to attach the
15 resuscitator to the human head.

16 SEC. 7. Section 5007 of the Vehicle Code is amended to read:

17 5007. (a) The department ~~shall~~, upon application and without
18 additional fees, *shall* issue a special ~~identification~~ license plate or
19 plates to a disabled person or disabled veteran, pursuant to
20 procedures adopted by the department.

21 (b) The special identification plates issued to a disabled person
22 or disabled veteran shall run in a regular numerical series, which
23 shall include one or more unique two-letter codes reserved for
24 disabled person license plates or disabled veteran license plates.
25 The International Symbol of Access adopted pursuant to Section
26 3 of Public Law 100-641 commonly known as the “wheelchair
27 symbol” shall be depicted on each plate.

28 (c) (1) Prior to issuing ~~any a special license plate to a~~ disabled
29 person or disabled veteran ~~a special identification license plate~~, the
30 department shall require the submission of a certificate, in
31 accordance with paragraph (2), signed by the physician or surgeon
32 substantiating the disability, unless the applicant’s disability is
33 readily observable and uncontested. The disability of any person
34 who has lost, or has lost use of, one or more lower extremities or
35 *one hand, for a disabled veteran, or both hands, for a disabled*
36 *person*, or who has significant limitation in the use of lower
37 extremities, may also be certified by a licensed chiropractor. The
38 blindness of any applicant shall be certified by a licensed physician
39 or surgeon who specializes in diseases of the eye or a licensed
40 optometrist. *The physician, surgeon, chiropractor, or optometrist*

1 *certifying the qualifying disability shall provide a full description*
2 *of the illness or disability on the form submitted to the department.*

3 (2) The physician ~~or other person~~, surgeon, chiropractor, or
4 optometrist who signs a certificate submitted under this
5 subdivision shall retain information sufficient to substantiate that
6 certificate and, upon request of the department, shall make that
7 information available for inspection by the Medical Board of
8 California *or the appropriate regulating board.*

9 (d) The special ~~identification~~ license plate shall, upon the death
10 of the disabled person or disabled veteran, be returned to the
11 department within 60 days or upon the expiration of the vehicle
12 registration, whichever occurs first.

13 SEC. 8. Section 5007.5 is added to the Vehicle Code, to read:

14 5007.5. (a) Upon a receipt of request for information by a
15 local law enforcement agency or local agency responsible for the
16 administration or enforcement of parking regulations, the
17 department shall make available to the requesting agency any
18 information contained in a physician's certificate submitted to the
19 department to substantiate the disability of a person applying for
20 or who has been issued special license plates pursuant to Section
21 5007. The department shall not provide the information specified
22 in this subdivision to any private entity or third-party parking
23 citation processing agency.

24 (b) A local authority may establish a review board or panel, for
25 the purposes of reviewing information contained in applications
26 for special plates and the certification of qualifying disabilities for
27 persons residing within the jurisdiction of the local authority. The
28 review board shall include a physician or other medical authority.
29 Any findings or determinations by a review board or panel under
30 this section indicating that an application or certification is
31 fraudulent or lacks proper certification shall be transmitted to the
32 department or other appropriate authorities for further review and
33 investigation.

34 SEC. 9. Section 9410 of the Vehicle Code is amended to read:

35 9410. (a) One commercial vehicle weighing less than 8,001
36 pounds unladen, which displays the distinguishing license plate
37 designated in, and is registered to a person who qualifies for the
38 exemption provided by, Section 22511.5, ~~or one commercial~~
39 ~~vehicle weighing less than 8,001 pounds unladen, which is not~~
40 ~~registered to a disabled person who qualifies for that exemption~~

1 ~~but which has been assigned and displays a distinguishing license~~
2 ~~plate and is used primarily for the transportation of the disabled~~
3 ~~person~~, is exempt from the weight fees provided for in Section
4 9400.

5 (b) A commercial vehicle displaying a distinguishing placard
6 pursuant to Section 22511.5 is not exempt from weight fees.

7 SEC. 10. Section 22507.5 of the Vehicle Code is amended to
8 read:

9 22507.5. (a) Notwithstanding Section 22507, local
10 authorities may, by ordinance or resolution, prohibit or restrict the
11 parking or standing of vehicles on certain streets or highways, or
12 portions thereof, between the hours of 2 a.m. and 6 a.m., and may,
13 by ordinance or resolution, prohibit or restrict the parking or
14 standing, on any street, or portion thereof, in a residential district,
15 of commercial vehicles having a manufacturer's gross vehicle
16 weight rating of 10,000 pounds or more. The ordinance or
17 resolution relating to parking between the hours of 2 a.m. and 6
18 a.m. may provide for a system of permits for the purpose of
19 exempting from the prohibition or restriction of the ordinance or
20 resolution ~~handicapped disabled~~ persons, residents, and guests of
21 residents of residential areas, including, but not limited to,
22 high-density and multiple-family dwelling areas, lacking adequate
23 offstreet parking facilities. The ordinance or resolution relating to
24 the parking or standing of commercial vehicles in a residential
25 district, however, shall not be effective with respect to any
26 commercial vehicle making pickups or deliveries of goods, wares,
27 and merchandise from or to any building or structure located on
28 the restricted streets or highways or for the purpose of delivering
29 materials to be used in the actual and bona fide repair, alteration,
30 remodeling, or construction of any building or structure upon the
31 restricted streets or highways for which a building permit has
32 previously been obtained.

33 (b) Subdivision (a) of this section is applicable to vehicles
34 specified in subdivision (a) of Section 31303, except that ~~no~~ *an*
35 ordinance or resolution adopted pursuant to subdivision (a) of this
36 section may *not* permit the parking of those vehicles which is
37 otherwise prohibited under this code.

38 (c) For the purpose of implementing this section, each local
39 authority may, by ordinance, define the term "residential district"
40 in accordance with its zoning ordinance. The ordinance ~~shall~~ *is* not

1 be effective unless the legislative body of the local authority holds
2 a public hearing on the proposed ordinance prior to its adoption,
3 with notice of the public hearing given in accordance with Section
4 65090 of the Government Code.

5 SEC. 11. Section 22511.5 of the Vehicle Code is amended to
6 read:

7 22511.5. (a) (1) ~~Any~~ A disabled person or disabled veteran
8 displaying special ~~identification~~ license plates issued under
9 Section 5007 or a distinguishing placard issued under Section
10 22511.55 or 22511.59 ~~shall be~~ is allowed to park for unlimited
11 periods in any of the following zones:

12 (A) In any restricted zone described in paragraph (5) of
13 subdivision (a) of Section 21458 or on streets upon which
14 preferential parking privileges and height limits have been given
15 pursuant to Section 22507.

16 (B) In any parking zone that is restricted as to the length of time
17 parking is permitted as indicated by a sign erected pursuant to a
18 local ordinance.

19 (2) ~~Any~~ A disabled person or disabled veteran ~~shall be~~ is
20 allowed to park in any metered parking space without being
21 required to pay ~~any~~ parking meter fees.

22 (3) This subdivision does not apply to ~~any~~ a zone for which
23 state law or ordinance absolutely prohibits stopping, parking, or
24 standing of all vehicles, or which the law or ordinance reserves for
25 special types of vehicles, or to the parking of ~~any~~ a vehicle that is
26 involved in the operation of a street vending business.

27 (b) ~~Any~~ A disabled person or disabled veteran ~~shall be~~ is
28 allowed to park a vehicle displaying a special ~~identification~~
29 disabled person license plate or placard issued by a foreign
30 jurisdiction with the same parking privileges authorized in this
31 code for any vehicle displaying a special ~~identification~~ license
32 plate or a distinguishing placard issued by the Department of
33 Motor Vehicles.

34 SEC. 12. Section 22511.55 of the Vehicle Code is amended to
35 read:

36 22511.55. (a) (1) ~~Any~~ A disabled person or disabled veteran
37 may apply to the department for the issuance of a distinguishing
38 placard. The placard may be used in lieu of the special
39 ~~identification~~ license plate or plates issued under Section 5007 for
40 parking purposes described in Section 22511.5 when suspended

1 from the rear view mirror or, if there is no rear view mirror, when
2 displayed on the dashboard of a vehicle. It is the intent of the
3 Legislature to encourage the use of these distinguishing placards
4 because they provide law enforcement officers with a more readily
5 recognizable symbol for distinguishing vehicles qualified for the
6 parking privilege. The placard shall be the size, shape, and color
7 determined by the department and shall bear the International
8 Symbol of Access adopted pursuant to Section 3 of Public Law
9 100-641, commonly known as the “wheelchair symbol.” The
10 department shall incorporate instructions for the lawful use of a
11 placard, and a summary of the penalties for the unlawful use of a
12 placard, into the identification card issued to the placard owner.

13 (2) (A) The department may establish procedures for the
14 issuance and renewal of the placards. The placards shall have a
15 fixed expiration date of June 30 every two years. A portion of the
16 placard shall be printed in a contrasting color that shall be changed
17 every two years. The size and color of this contrasting portion of
18 the placard shall be large and distinctive enough to be readily
19 identifiable by a law enforcement officer in a passing vehicle.

20 (B) As used in this section, “year” means the period between
21 the inclusive dates of July 1 through June 30.

22 (C) Prior to the end of each year, the department shall, for the
23 most current three years available, compare its record of disability
24 placards issued against the records of the Bureau of Vital Statistics
25 of the State Department of Health Services, or its successor, and
26 withhold any renewal notices that otherwise would have been sent,
27 for any placardholders identified as deceased.

28 (3) Except as provided in paragraph (4), no person is eligible
29 for more than one placard at any time.

30 (4) Organizations and agencies involved in the transportation
31 of disabled persons or disabled veterans may apply for a placard
32 for each vehicle used for the purpose of transporting disabled
33 persons or disabled veterans.

34 (b) (1) Prior to issuing ~~any~~ *an original distinguishing placard*
35 *to a disabled person or disabled veteran* ~~an original distinguishing~~
36 ~~placard~~, the department shall require the submission of a
37 certificate, in accordance with paragraph (2), signed by the
38 physician or surgeon substantiating the disability, unless the
39 applicant’s disability is readily observable and uncontested. The
40 disability of any person who has lost, or has lost use of, one or more

lower extremities or *one hand, for a disabled veteran, or both hands, for a disabled person*, or who has significant limitation in the use of lower extremities, may also be certified by a licensed chiropractor. The blindness of any applicant shall be certified by a licensed physician or surgeon who specializes in diseases of the eye or a licensed optometrist. The physician ~~or person~~, *surgeon, chiropractor, or optometrist* certifying the qualifying disability shall provide a full description of the illness or disability on the form submitted to the department.

(2) The physician ~~or other person~~, *surgeon, chiropractor, or optometrist* who signs a certificate submitted under this subdivision shall retain information sufficient to substantiate that certificate and, upon request of the department, shall make that information available for inspection by the Medical Board of California *or the appropriate regulatory board*.

(3) The department shall maintain in its records all information on an applicant's certification of permanent disability and shall make that information available to eligible law enforcement or parking control agencies upon a request pursuant to Section 22511.58.

(c) ~~Any~~ A person who ~~has been~~ *is* issued a distinguishing placard pursuant to subdivision (a) may apply to the department for a substitute placard without recertification of eligibility, if that placard ~~has been~~ *is* lost or stolen.

(d) The distinguishing placard shall be returned to the department not later than 60 days after the death of the disabled person or disabled veteran to whom the placard was issued.

(e) The department shall print on any distinguishing placard issued on or after January 1, 2005, the maximum penalty that may be imposed for a violation of Section 4461. For the purposes of this subdivision, the "maximum penalty" is the amount derived from adding all of the following:

(1) The maximum fine that may be imposed under Section 4461.

(2) The penalty required to be imposed under Section 70372 of the Government Code.

(3) The penalty required to be levied under Section 76000 of the Government Code.

(4) The penalty required to be levied under Section 1464 of the Penal Code.

(5) The surcharge required to be levied under Section 1465.7 of the Penal Code.

(6) The penalty authorized to be imposed under Section 4461.3.

SEC. 13. Section 22511.57 of the Vehicle Code is amended to read:

22511.57. Local authorities may, by ordinance or resolution, prohibit or restrict the parking or standing of a vehicle on streets or highways or from a disabled person's parking stall or space of a privately or publicly owned or operated offstreet parking facility within their jurisdiction when the vehicle displays, in order to obtain special parking privileges, a ~~disabled~~ *distinguishing* placard issued pursuant to Section 22511.55, and the *record of the* Department of Motor Vehicles ~~record~~ for the identification number assigned to the placard indicates that the ~~card~~ *placard* has been reported as lost ~~or~~, stolen, *surrendered, cancelled, revoked, or expired*, or was issued to a person who has been reported as being deceased for a period exceeding 60 days.

SEC. 14. Section 22511.59 of the Vehicle Code is amended to read:

22511.59. (a) Upon receipt of the applications and documents required by subdivisions (b), (c), or (d), the department shall issue a temporary distinguishing placard bearing the International Symbol of Access adopted pursuant to Section 3 of Public Law 100-641 commonly known as the "wheelchair symbol." During the period for which it is valid, the temporary distinguishing placard may be used for the parking purposes described in Section 22511.5 in the same manner as a distinguishing placard issued pursuant to Section 22511.55.

(b) (1) Any person who is temporarily disabled for a period of not more than six months may apply to the department for the issuance of the temporary distinguishing placard described in subdivision (a).

(2) Prior to issuing a placard pursuant to this subdivision, the department shall require the submission of a certificate signed by a physician~~or~~, surgeon, *chiropractor, or optometrist*, as described in subdivision (b) of Section 22511.55, substantiating the temporary disability and stating the date upon which the disability is expected to terminate.

(3) The physician ~~or other person~~, *surgeon, chiropractor, or optometrist* who signs a certificate submitted under this subdivision shall maintain information sufficient to substantiate that certificate and, upon request of the department, shall make that information available for inspection by the Medical Board of California *or the appropriate regulatory board*.

(4) A placard issued pursuant to this subdivision shall expire not later than 180 days from the date of issuance or upon the expected termination date of the disability, as stated on the certificate required by paragraph (2), whichever is less.

(5) The fee for a temporary placard issued pursuant to this subdivision shall be six dollars (\$6).

(c) (1) Any *permanently* disabled person or disabled veteran who is not a resident of this state and plans to travel within the state may apply to the department for the issuance of the temporary distinguishing placard described in subdivision (a).

(2) Prior to issuing a placard pursuant to this subdivision, the department shall require certification of the disability, as described in subdivision (b) of Section 22511.55.

(3) The physician ~~or other person~~, *surgeon, chiropractor, or optometrist* who signs a certificate submitted under this subdivision shall maintain information sufficient to substantiate that certificate and, upon request of the department, shall make that information available for inspection by the Medical Board of California *or the appropriate regulatory board*.

(4) A placard issued pursuant to this subdivision shall expire not later than 90 days from the date of issuance.

(5) *The department shall not charge a fee for issuance of a placard under this subdivision.*

(d) (1) ~~Any~~ A *permanently* disabled person or disabled veteran who has been issued either a distinguishing placard pursuant to Section 22511.55 or special identification license plates pursuant to Section 5007, but not both, may apply to the department for the issuance of the temporary distinguishing placard ~~for the purpose of travel~~ described in subdivision (a) *for the purpose of travel*.

(2) Prior to issuing a placard pursuant to this subdivision, the department shall require the applicant to submit either the number identifying the distinguishing placard issued pursuant to Section 22511.55 or the number on the special identification license plates.

(3) A placard issued pursuant to this subdivision shall expire not later than 30 days from the date of issuance.

(4) *The department shall not charge a fee for issuance of a placard under this subdivision.*

(e) The department shall print on any temporary distinguishing placard issued on or after January 1, 2005, the maximum penalty that may be imposed for a violation of Section 4461. For the purposes of this subdivision, the “maximum penalty” is the amount derived from adding all of the following:

(1) The maximum fine that may be imposed under Section 4461.

(2) The penalty required to be imposed under Section 70372 of the Government Code.

(3) The penalty required to be levied under Section 76000 of the Government Code.

(4) The penalty required to be levied under Section 1464 of the Penal Code.

(5) The surcharge required to be levied under Section 1465.7 of the Penal Code.

(6) The penalty authorized to be imposed under Section 4461.3.

SEC. 15. Section 22511.8 of the Vehicle Code is amended to read:

22511.8. (a) Any local authority, by ordinance or resolution, and any person in lawful possession of an offstreet parking facility may designate stalls or spaces in an offstreet parking facility owned or operated by the local authority or person for the exclusive use of any vehicle which displays either a special identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59. The designation shall be made by posting a sign as described in paragraph (1), and by either of the markings described in paragraph (2) or (3):

(1) By posting immediately adjacent to, and visible from, each stall or space, a sign consisting of a profile view of a wheelchair with occupant in white on a blue background.

(2) By outlining or painting the stall or space in blue and outlining on the ground in the stall or space in white or suitable contrasting color a profile view depicting a wheelchair with occupant.

(3) By outlining a profile view of a wheelchair with occupant in white on a blue background, of the same dimensions as in paragraph (2). The profile view shall be located so that it is visible to a traffic enforcement officer when a vehicle is properly parked in the space.

(b) If posted in accordance with subdivision (d) or (e), the owner or person in lawful possession of a privately owned or operated offstreet parking facility, after notifying the police or sheriff's department, may cause the removal of a vehicle from a stall or space designated pursuant to subdivision (a) in the facility to the nearest public garage unless a special-identification license plate issued pursuant to Section 5007 or distinguishing placard issued pursuant to Section 22511.55 or 22511.59 is displayed on the vehicle.

(c) If posted in accordance with subdivision (d), the local authority owning or operating an offstreet parking facility, after notifying the police or sheriff's department, may cause the removal of a vehicle from a stall or space designated pursuant to subdivision (a) in the facility to the nearest public garage unless a special-identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59 is displayed on the vehicle.

(d) Except as provided in Section 22511.9, the posting required for an offstreet parking facility owned or operated either privately or by a local authority shall consist of a sign not less than 17 by 22 inches in size with lettering not less than one inch in height which clearly and conspicuously states the following: "Unauthorized vehicles not displaying distinguishing placards or *special* license plates issued for physically ~~handicapped~~ *disabled* persons will be towed away at *the* owner's expense. Towed vehicles may be reclaimed at

_____ or by telephoning
(Address)
_____."

(Telephone number of local law enforcement agency)

The sign shall be posted in either of the following locations:

1 (1) Immediately adjacent to, and visible from, the stall or
2 space.

3 (2) In a conspicuous place at each entrance to the offstreet
4 parking facility.

5 (e) If the parking facility is privately owned and public parking
6 is prohibited by the posting of a sign meeting the requirements of
7 paragraph (1) of subdivision (a) of Section 22658, the
8 requirements of subdivision (b) may be met by the posting of a sign
9 immediately adjacent to, and visible from, each stall or space
10 indicating that a vehicle not meeting the requirements of
11 subdivision (a) will be removed at the owner's expense and
12 containing the telephone number of the local traffic law
13 enforcement agency.

14 (f) This section does not restrict the privilege granted to
15 disabled persons and disabled veterans by Section 22511.5.

16 SEC. 16. Section 22652 of the Vehicle Code is amended to
17 read:

18 22652. ~~Any~~ (a) A peace officer, as defined in Chapter 4.5
19 (commencing with Section 830) of Title 3 of Part 2 of the Penal
20 Code, or any regularly employed and salaried employee engaged
21 in directing traffic or enforcing parking laws and regulations of a
22 city, county, or jurisdiction of a state agency may remove any
23 vehicle from a stall or space designated for physically ~~handicapped~~
24 *disabled* persons pursuant to Section 22511.7 or 22511.8, located
25 within the jurisdictional limits in which the officer or employee is
26 authorized to act, if the vehicle is parked in violation of Section
27 22507.8 and if the police or sheriff's department or the Department
28 of the California Highway Patrol ~~has been~~ *is* notified.

29 ~~In~~

30 (b) *In* a privately or publicly owned or operated offstreet
31 parking facility, this section applies only to those stalls and spaces
32 if the posting requirements under subdivisions (a) and (d) of
33 Section 22511.8 have been complied with and if the stalls or spaces
34 are clearly signed or marked.

35 SEC. 17. Section 22658.2 of the Vehicle Code is amended to
36 read:

37 22658.2. (a) Except as provided in subdivision (b), an
38 "association", as defined in subdivision (a) of Section 1351 of the
39 Civil Code, of a common interest development, as defined in
40 subdivision (c) of Section 1351 of the Civil Code, may cause the

1 removal of a vehicle parked on that property to the nearest public
2 garage if all of the following requirements are satisfied:

3 (1) A sign not less than 17 by 22 inches in size with lettering not
4 less than one inch in height appears at each entrance to the common
5 interest development and contains both of the following:

6 (A) A statement that public parking is prohibited and all
7 vehicles not authorized to park on the common interest
8 development will be removed at the owner's expense.

9 (B) The telephone number of the local traffic law enforcement
10 agency.

11 The sign may also indicate that a citation may be issued for the
12 violation.

13 (2) If the identity of the registered owner of the vehicle is
14 known or readily ascertainable, the president of the association or
15 his or her designee shall, within a reasonable time, notify the
16 owner of the removal by first-class mail. If the identity of the
17 owner of the vehicle is not known or ascertainable, the president
18 of the association or his or her designee shall comply with
19 subdivision (c) of Section 22853.

20 (3) The president of the association or his or her designee, gives
21 or causes to be given, notice of the removal to the local traffic law
22 enforcement agency immediately after the vehicle has been
23 removed. The notice shall include a description of the vehicle, the
24 license plate number, and the address from where the vehicle was
25 removed.

26 (b) The association may cause the removal without notice of
27 any vehicle parked in a marked fire lane, within 15 feet of a fire
28 hydrant, in a parking space designated for ~~handicapped disabled~~
29 *persons* without proper authority, or in a manner which interferes
30 with any entrance to, or exit from, the common interest
31 development or any separate interest contained therein.

32 (c) Notwithstanding Section 1708 of the Civil Code, the
33 association shall not be liable for any damages incurred by the
34 vehicle owner because of the removal of a vehicle in compliance
35 with this section or for any damage to the vehicle caused by the
36 removal. However, the owner of a vehicle removed pursuant to
37 this section may recover for any damage to the vehicle which
38 results from any intentional or negligent act of the association or
39 any person causing the removal of, or removing, the vehicle.

(d) Notwithstanding any other provision of law, subdivisions (f) to (k), inclusive, of Section 22658 apply to the removal of vehicles pursuant to this section.

SEC. 18. Section 25276 of the Vehicle Code is amended to read:

25276. (a) ~~Any~~ A motor vehicle designed for carrying more than eight persons, including the driver, owned by a private, nonprofit organization ~~which that~~ provides training or other activities for persons who are mentally retarded or physically ~~handicapped disabled~~, or both, and ~~which that~~ is certified by the Department of Rehabilitation or licensed by the State Department of Health, with respect to the providing of ~~such this~~ training or other activities, may be equipped with a flashing amber light signal system. ~~Any such~~

(b) A motor vehicle, *described in subdivision (a)*, may, while actually engaged in the transportation of ~~such~~ persons *described in subdivision (a)* to or from a training or activity center operated by ~~such the~~ organization, display the flashing amber lights of ~~such the~~ system when necessarily parked upon a highway and in the process of loading or unloading ~~such~~ persons.

~~(b)~~

(c) The provisions of ~~subdivision~~ *Subdivisions (a) and (b)* ~~shall~~ also apply to ~~any such a~~ motor vehicle ~~which that~~ is rented, leased, or chartered by ~~such an the~~ organization.